

2011

# **[HANDBOOK ON DEATH REGISTRATION]**

Department of State Health Services Vital Statistics Unit

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## CHAPTER ONE

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### INTRODUCTION

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This handbook describes death registration in the Texas vital registration system. It provides instructions for completing and filing death certificates along with related permits.

A death certificate is a permanent legal record of an individual's death and is extremely important to the family of the deceased person. The information recorded on the death certificate is used for application of insurance benefits, settlement of pension claims, and to transfer title of real and personal property. Information recorded on a death certificate provides evidence of the fact of death and can be produced as evidence in a court of law.

The death certificate provides important information data on mortality that is used in a variety of medical and health-related research efforts. Mortality statistics identify the causes of death and help evaluate diagnostic and therapeutic techniques. These statistics are used to assess the general health of Texas citizens. Mortality statistics also help identify diseases found among specific groups of people and determines where medical research may have the greatest impact on reducing mortality. Statistical information is also used to allocate medical and nursing services and to follow the course of infectious diseases.

Because mortality statistics are no more accurate than the information submitted on death certificates, it is very important that all death certificates be completed and filed with accuracy and promptness.

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### REGISTRATION REQUIREMENTS

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**A Certificate of Death (VS-112) must be filed within ten (10) days of the date of death for every death in Texas.** It must be filed with the local registrar in the district where the death occurred or the body was found [\[HSC 193.003\(a\)\]](#). The funeral director, or person acting as such, shall obtain an electronically filed report of death through Vital Statistics Unit Texas Electronic Death Registration system or complete a report of death before transporting the body. The report

of death shall within 24 hours be mailed or otherwise transmitted to the local registrar of the district in which the death occurred or in which the body was found. A copy of the completed or electronically filed report of death as prescribed by the Vital Statistics Unit shall serve as authority to transport or bury the body or fetus within this state. [\[25 TAC 181.2\(a\)\]](#).

The death certificate must be filed electronically, as specified by the state registrar, by the person in charge of interment or disposition, or by the person in charge of removing the body from the registration district for disposition [\[HSC 193.002\]](#). When arrangements for disposition of a body are made through a funeral home, a death certificate should be completed and filed by the funeral director. When a body has been donated to a hospital, medical school, or mortuary school for scientific or educational purposes, the institution is responsible for completing and filing the Certificate of Death.

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## RESPONSIBILITIES OF THE FUNERAL DIRECTOR OR PERSON ACTING AS SUCH

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Death registration requires a cooperative effort between the funeral director or other person accepting responsibility for disposition of the body; the certifier of the cause of death, which may be the physician that attended the deceased, the medical examiner, or the justice of the peace, depending on the circumstances of the death; and the informant who provides personal, non-medical information about the deceased.

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### THE FUNERAL DIRECTOR OR PERSON ACTING AS SUCH IS RESPONSIBLE FOR:

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- Filing a Report of Death with the local registrar within 24 hours of taking custody of the body. This may be by mail mailed or otherwise transmitted to the local registrar [\[25 TAC 181.2\(a\)\]](#).
- Completing all items on the death certificate and obtaining the required information from the person best qualified to furnish the information.

The funeral director or person acting as such should notify the medical examiner or justice of the peace for investigation or inquest and cause of death certification if law enforcement or someone else has not already done so if any of the following circumstances exist [\[HSC 193.005, CCP Art. 49.04, CCP Art. 49.25 Sec. 6\]](#):

- A body was found and the cause and circumstances of the death are unknown.
- The death is believed to be an unnatural death from a cause other than a legal execution (accident, suicide, or homicide).
- The death occurred in prison or in jail.
- The death occurred within 24 hours of admission to a hospital (refer to a medical examiner only [CCP Art. 49.25 Sec. 6 \(1\)](#) ).
- The death occurred without medical attendance.
- The physician is unable or unwilling to certify the cause of death.
- The deceased is under six (6) years of age.

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### ADDITIONAL RESPONSIBILITIES OF THE FUNERAL DIRECTOR OR PERSON ACTING AS SUCH:

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- Cooperate with pathologists in cases involving autopsies.
- Obtain the cause of death information from the attending physician, the medical examiner, or the justice of the peace as appropriate based upon the circumstances of the death.
- Secure all necessary signatures on the certificate.
- Review the certificate for completeness and accuracy.
- File the death certificate electronically with the local registrar within ten (10) days of death [\[HSC 193.003\(a\)\]](#).
- Use all necessary permits and other forms associated with the death registration process such as the Burial-Transit Permit and Disinterment Permit.
- Cooperate with the Vital Statistics Unit (VSU) and local registrars regarding inquiries about death certificate entries.
- Call VSU or the local registrar for advice and assistance as needed.

Sometimes, two parties may provide conflicting information regarding the deceased. For example, the informant may state that the deceased is married (either common-law or by ceremony), but the family says otherwise (or vice versa). Also, there may be a conflict as to who will be listed as the surviving spouse. In these cases, the funeral director can ask for documentation or list the information provided by the informant because he or she is the funeral home customer. The funeral director has a statutory obligation to file the certificate on time. If necessary, conflicting parties can resolve their argument through the court system.